

HALL
CONSUMER PROTECTION

NOV 28 2005

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November 23, 2005

FILED

DEC - 1 2005

Hearings Unit, OIC
Patricia D. Petersen
Chief Hearing Officer

Mr. John Hamje
Deputy Insurance Commissioner
Consumer Protection Division
Office of the Insurance Commissioner
P.O. Box 40257
Olympia, WA 98504-0257

Re: DEMAND FOR HEARING: In the Matter of David S. Lower
No. D 05-409

Dear Mr. Hamje:

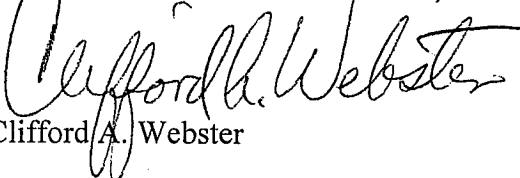
David S. Lower hereby respectfully makes demand for hearing in the above-referenced matter. A brief statement of his reason for requesting the hearing follows: Mr. Lower was unable to meet the fingerprint requirements due to an inadequate amount of time and notice to file a new fingerprint card. The multiple notices that were sent beginning in March of 2005 were received at a general business address instead of his home address. He received the final notice demanding a new fingerprint card the second week of September with a filing deadline of October 6. The fingerprint card was completed September 15 and forwarded to an external vendor that handles insurance licensing and securities registration for TIAA-CREF. The Office of the Insurance Commissioner informed Mr. Lower that the fingerprint card was received by October 31, the effective date of the Order Revoking License.

Mr. Lower further requests that the proposed revocation of license be stayed (postponed) pending the hearing, pursuant to RCW 48.04.020.

Please be advised that this law firm and the undersigned will serve as counsel to Mr. Lower.

Sincerely,

CARNEY BADLEY SPELLMAN, P.S.


Clifford A. Webster

CAW:jc